

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ABILITY INSURANCE COMPANY,

Plaintiff,

v.

Civil Action No.: 1:20-cv-03851 (GBD)

ST PAPER, LLC

Defendant.

**DECLARATION OF ANGELO A. STIO, III, ESQ. IN OPPOSITION TO
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT AND IN FURTHER
SUPPORT OF PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT**

ANGELO A. STIO, III hereby declares, pursuant to 28 U.S.C. § 1746 as follows:

1. I am a partner in the law firm Troutman Pepper Hamilton Sanders, LLP, attorneys for Plaintiff Ability Insurance Company (“Plaintiff”) in the above captioned matter. I am fully familiar with the facts and circumstances discussed below.

2. I submit this Affirmation in opposition to defendant ST Paper, LLC’s (“Defendant” or “ST”) Motion for Summary Judgment and in further support of Plaintiff’s Motion for Summary Judgment.

3. Attached hereto as Exhibit A is a true and accurate copy of the Mortgage and Security Agreement issued by Green Box NA Green Bay, LLC (“Green Box”) in favor of Maple Bridge Funding, LLC (“Maple Bridge”) on December 10, 2013.

4. Attached hereto as Exhibit B is a true and accurate copy of the Absolute Assignment of Leases and Rents issued by Green Box in favor of Maple Bridge on December 10, 2013.

5. Attached hereto as Exhibit C is a true and accurate copy of the Assignment of Rights issued by Green Box in favor of Maple Bridge on December 11, 2013.

6. Attached hereto as Exhibit D is a true and accurate copy of excerpts from the Oral Argument transcript, containing the court's judgment on the record as to the parties' cross-summary judgment motions, in *Oconto Falls Tissue, Inc. v. ST Paper, LLC*, No. 17 cv 104 (Wisconsin Circuit Court for Oconto County) ("Wisc. MSJ Order").

7. Attached hereto as Exhibit E is a true and accurate copy of Oconto Falls Tissue, Inc.'s ("OFTI") responses to ST's Request for Admissions filed in *Oconto Falls Tissue, Inc. v. ST Paper, LLC*, No. 17 cv 104 (Wisconsin Circuit Court for Oconto County).

8. Attached hereto as Exhibit F is a true and accurate copy of excerpts from the transcript of the deposition of David Charsky taken on July 27, 2021 ("Charsky Tr.").

9. Attached hereto as Exhibit G is a true and accurate copy of Plaintiff's Rule 26(a)(1) Initial Disclosures.

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

DATED: New York, NY
Executed: September 10, 2021

/s/ Angelo A. Stio, III
ANGELO A. STIO, III